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C O N F I D E N T I A L SECTION 01 OF 03 SANAA 002754

SIPDIS

FOR DRL, AID AND NEA (ACTING DAS ROMANOWSKI)

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TAGS: [PHUM](#) [PTER](#) [PREL](#) [EU](#) [YM](#) [ICC](#) [HUMAN](#) [RIGHTS](#) [DEMOCRATIC](#) [REFORM](#)

SUBJECT: INVITATION FOR USG PARTICIPATION IN JANUARY 2004

YEMENI-EU INTERNATIONAL HUMAN RIGHTS CONFERENCE IN SANAA:

"WE WILL ACT ON PRESIDENT BUSH'S 11/6 NED SPEECH"

Classified By: CDA Alan G. Misenheimer for reasons 1.5 (b,d).

11. (C) Summary/Comment: In an 11/18 meeting with Charge, FM Qirbi delivered a verbal invitation for &high-level8 USG participation in an international conference to take place in Yemen 10-12 January 2004. Shura Council Member Mohamed al-Tayeb, who will head ROYG preparations, provided background in separate meetings with Charge. The conference will be jointly sponsored (and entirely paid for) by the EU, with its affiliated NGO, No Peace Without Justice, playing a central role. Invitees will include: all OIC member states; all EU member states; the United States; Canada; Japan; and selected non-OIC African states including Chad, Ghana, Ethiopia, and Kenya. Most invitations have been sent, with each country,s Foreign Minister, Justice Minister and heads of upper and lower houses of parliament invited by name. NGOs will constitute up to half the projected 350-400 participants.

12. (C) Summary/Comment Continued: The ROYG is willing to meet U.S. conditions -- e.g. downplaying ICC and playing up support for Iraq, Afghanistan and the 11/5 POTUS NED speech -- in order to draw a senior delegation from Washington. Even so, EU sponsorship and hostiles (Libya, Iran) on the guest list will likely constrain U.S. ability to influence/inform conference outcomes. It is nevertheless important that the USG be present to highlight U.S. policy and achievements in the region. We recommend a delegation headed at DAS level (perhaps NEA acting DAS Romanowski) and including DRL and AID. U.S. delegation should also be able to address criticism on ICC and GTMO. Post would welcome Department guidance on (a) Yemeni request on invitation for Iraq (para 7) and (b) our ongoing engagement with the ROYG on the agenda (para 8). End summary/comment.

WHY A HUMAN RIGHTS CONFERENCE IN YEMEN?

13. (SBU) On 11/16 Shura Council member Mohamed al-Tayeb, a former cabinet minister and current head of the SC,s human rights committee, approached Charge with a preliminary invitation for USG participation in the &Intergovernmental Regional Conference on Democracy, Human Rights and the Rule of Law.8 The conference will take place in Sanaa January 10-12, 2004. The event, which will be funded and co-sponsored by the EU will aim to increase awareness and &market8 democracy in the region. In Tayeb,s words, &We will act on President Bush,s recent speech on democracy in the region.8

14. (C) The impetus for the conference began last summer, when Tayeb attended two human rights conferences in Rome sponsored by the EU-affiliated NGO &No Peace Without Justice.8 NPWJ members told him of plans to host a conference on the ICC in Jordan late in the year. Tayeb persuaded them that the ICC was not a salient enough issue for a stand-alone conference in the Middle East, and the discussion led to broadening the agenda and shifting the venue to Yemen (where some NPWJ had favorable experience as observers for Yemen,s 4/03 parliamentary elections). While the ICC will not/not be a focus of the conference, Tayeb confirmed that the ROYG intends to complete an Article 98 agreement with the USG as soon as possible, and then proceed to ratify the Rome Statute prior to the conference.

AGENDA AND MODALITIES

15. (U) Following a plenary at Sanaa,s Republican Palace (typically used for large, formal state occasions), the conference will devolve into three sub-conferences -- promoting the rule of law; building democracy; and promoting human rights - in separate venues. Along with national delegations expected from dozens of countries (ministers of foreign affairs and justice, along with heads of upper and lower parliamentary bodies, will be invited by name), NGO members could constitute 40-50 percent of participants. European diplomats tell us several EU states are considering delegations headed at the deputy FM level, but most have not

yet decided. NGO invitees will include former Secretary Albright, in her capacity as head of the National Democratic Institute.

16. (SBU) Tayeb will head preparations on the ground, aided by staffers from NPWJ who arrived 11/18. He expects a draft agenda to be ready within the coming week, and has offered to share it with Embassy Sanaa. Invitees will include: all OIC member states; all EU member states; the United States; Canada; Japan; and selected non-OIC African states including Chad, Ghana, Ethiopia, and Kenya. Most invitations have already gone out, and the ROYG plans a particularly warm reception for the new leadership of both Iraq and Afghanistan.

17. (SBU) Tayeb told Charge 11/19 that the Iraqi Embassy in Sanaa has declined to accept the invitation on the grounds that it lacks the ability to forward it to authorities in Baghdad. Tayeb thus asked if the USG could assist in forwarding the invitation to FM Zebari. Charge urged him to explore other options (e.g. Yemen's embassy in Baghdad, or the Arab League) but agreed to forward his request to Washington.

U.S. PARTICIPATION: WILLING TO MEET U.S. & CONDITIONS

18. (C) During a frank exchange 11/18, Charge advised Tayeb that the USG would not be able to decide on its level of participation without having a clearer idea of the agenda. Beyond that, ROYG assurance on certain points could also help elicit a favorable view from Washington. For example:

-- ICC: Assurance that the ICC will not emerge as a major conference focus, that the agenda will not be slanted to slam the U.S. position on the ICC; that all agenda items relating to the ICC will be clearly disclosed and defined in advance, and that the ICC will not/not be mentioned by name in the final communiqu;

-- Israel/Palestine: Assurance that issues of Israeli occupation and Palestinian aspiration will not be allowed to distort the positive focus of the conference;

-- Iraq and Afghanistan: Assurance that Iraq and Afghanistan will be held up (including in the final communiqu) as positive examples of democratic transition, that the agenda will not be shaped to criticize intervention in those countries; that the final communiqu will exhort participants and the world community to assist the peoples of Iraq and Afghanistan in their transition to democracy;

-- Women: Assurance that women's issues will be highlighted, both in the agenda and the final communiqu, and that female participation (e.g. through NGOs) will be maximized.

-- 11/5 POTUS NED Speech: Assurance that the speech will be appropriately integrated into the agenda and acknowledged, ideally in the final communiqu, as a positive statement of generally held values and aims.

-- GTMO detainees: In a conversation on 11/19, Charge added this subject to the list of those that should not receive undue or negative attention at the conference.

19. (C) Tayeb responded favorably on all counts, including GTMO. He welcomed the input, and emphasized that the rough and informal list above were consistent with both his views and those of the ROYG, and could readily be worked with Arab, European and other participants. He invited further U.S. input, including in drafting the final communiqu, and offered a guarantee that U.S. concerns would be met. Tayeb reiterated his intent to structure the conference so as to: (a) draw the highest possible level of U.S. participation; and (b) ensure an upbeat and positive outcome for all/all participants (&no finger pointing). &We have no disagreements on this, he said.

COMMENT

10. (C) Even with experienced staffers from &No Peace Without Justice, the ROYG faces a daunting task to organize a large international conference in less than two months. Although some invitations are already in the mail, organizers are just at the point of translating a broad vision into details -- so untold devils could still emerge. Nevertheless, with endorsement by Saleh and EU financing assured, the event is likely to proceed. The Yemenis showed that they could host a large conference with the 1999 Emerging Democracies Forum in Sanaa.

11. (C) We take seriously Tayeb's assurance that the agenda will not be slanted against U.S. interests, and we will remain engaged with him toward this end; but assessment of

potential risks (e.g. undue emphasis on the ICC or GTMO), and benefits (e.g. opportunity to promote international support for Iraq and Afghanistan and highlight the 11/5 POTUS speech) cannot be completed until the agenda comes into clearer focus. Moreover, with EU sponsorship and a long list of invitees -- including some critical of U.S. policy (e.g. Libya, Iran) -- our ability to influence/inform the outcome on key issues is likely to be constrained despite Tayeb's best intentions. Nevertheless, post deems it important that the USG be present in order to highlight U.S. aims and achievements in the region. Based on what we know at this point, post recommends the Department consider a delegation headed at DAS level -- perhaps NEA acting DAS Romanowski, who has visited Yemen and can highlight MEPI -- and including AID and DRL. U.S. delegation should also include member(s) able to address criticism on ICC and GTMO.

12. (C) Finally, post would welcome Department guidance on engagement with Tayeb to ensure that U.S. priorities are appropriately reflected in the agenda.
MISENHEIMER